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*Counsel to the Liquidating Trustee*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
-----	:	Jointly Administered
	x	

**THIRD ORDER SUSTAINING LIQUIDATING TRUST'S FIFTY-NINTH OMNIBUS  
OBJECTION TO CLAIMS: FIXING OF CERTAIN UNLIQUIDATED CLAIMS,  
REDUCTION OF CERTAIN PARTIALLY INVALID CLAIMS,  
OR DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
AS APPLICABLE (SEVERANCE)**

THIS MATTER having come before the Court<sup>1</sup> on the *Liquidating Trust's Fifty-Ninth Omnibus Objection to Claims: Fixing of Certain Unliquidated Claims, Reduction of Certain Partially Invalid Claims, or Disallowance of Certain Invalid Claims, as Applicable*

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

*(Severance)* (the “Objection”), which requested, among other things, that the claims specifically identified on **Exhibit B** attached to the Objection be fixed, reduced or disallowed, as applicable, for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimants being affected by this Order; and it appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors’ estates and creditors and other parties-in-interest; and after due deliberation thereon, *good and sufficient cause exists for the granting of the relief as set forth herein,*

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. Unless otherwise provided herein, the Objection is SUSTAINED.
2. The Objection is sustained as it relates to Claim number 7354 of Michelle A. Sifford, and said claim is hereby reduced to \$231,441.00.
3. The Claims identified on **Exhibit A** as attached hereto and incorporated herein are forever disallowed for all purposes in these bankruptcy cases.
4. The Claims identified on **Exhibit B** as attached hereto and incorporated herein are forever reduced for all purposes in these bankruptcy cases in the manner stated in **Exhibit B**.
5. The Court will conduct a status conference on December 17, 2013 at 2:00 p.m. for all Claims identified on **Exhibit C** attached hereto.
6. The Liquidating Trust’s rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
7. The Liquidating Trust shall serve a copy of this Order on the claimants

included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia  
\_\_\_\_\_, 2013

Dec 12 2013

/s/ Kevin R. Huennekens  
\_\_\_\_\_  
HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

Entered on Docket:12/12/13

TAVENNER & BERAN, PLC

/s/ Lynn L. Tavenner  
\_\_\_\_\_  
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*Counsel to the Circuit City Stores, Inc.  
Liquidating Trust*

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner  
Lynn L. Tavenner

# **EXHIBIT A**

In re Circuit Sity Stores, Inc., et al.  
Case No. 08-35653 (KRH)

EXHIBIT A  
DISALLOWED CLAIMS

Claim Number	Name & Address	Date Filed	Docketed Claim Amount	Docketed Claim Class	Debtor(s)	Modified Claim Amount
10173	HENDRICKS, EDWARD M 1286 89TH ST NEW RICHMND, WI 54017	1/30/2009	\$198,000.00	U	CIRCUIT CITY STORES, INC.	\$0.00

# **EXHIBIT B**

In re Circuit City Stores, Inc., et al.  
Case No. 08-35653 (KRH)

EXHIBIT B  
REDUCED CLAIMS

Claim Number	Name & Address	Date Filed	Docketed Claim Amount	Docketed Claim Class	Debtor(s)	Modified Claim Amount
10175	HENDRICKS, EDWARD M 1286 89TH ST NEW RICHMND, WI 54017	1/30/2009	\$530,000.00	U	CIRCUIT CITY STORES, INC.	\$273,519.00



# **EXHIBIT C**

In re Circuit City Stores, Inc., et al.  
Case No. 08-35653 (KRH)

EXHIBIT C  
CONTINUED CLAIMS

Claim Number	Name & Address	Date Filed	Docketed Claim Amount	Docketed Claim Class	Debtor(s)	Objection Exhibit	Proposed Modified Amount
7038	STINDE, MARK S 8704 PONDEROSA DR MCKINNEY, TX 75070	1/28/2009	\$88,000.00	U	CIRCUIT CITY STORES, INC.	D	\$25,824.00